

IN UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING AND SALES PRACTICES
AND PRODUCT LIABILITY LITIGATION

CASE NO. 3:05-cv-05356-CRB

MDL NO. 1699

JUDGE CHARLES R. BREYER

EARL MYERS, et al.

Plaintiffs,

v.

PFIZER, INC., et al.

Defendants.

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE AND
WITHOUT COSTS AS TO CASE
NUMBER 05-05356 CRB, ORIGINALLY
FILED IN THE US DISTRICT COURT,
DISTRICT OF MINNESOTA**

IT IS HEREBY STIPULATED AND AGREED by and between counsel for Plaintiff and counsel for Defendant that the Complaint of Plaintiff Earl Myers originally filed in the US District Court, District of Minnesota, Case Number 0:05-cv-2305 PAM JJG, and then later transferred to the MDL No. 1699, *In Re: Bextra and Celebrex, Marketing, Sales Practices and Product Liability Litigation*, may be and is hereby dismissed with prejudice.

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The parties hereby stipulate that should Plaintiff ever re-file Plaintiff's claim, Plaintiff will only re-file in Federal Court. The parties shall each bear their own costs.

Respectfully submitted:

Dated: 3-12-08

By: 

Earl Myers

Dated: 3-17-08

By: 

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Defendant's Liaison Counsel

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 31, 2008

Honorable Charles R. Breyer
United States District Court

